

ing the amendment shall have written or printed on their tickets, "For the Amendment to Section 3, of Article XI, of the Constitution of Texas, authorizing all counties in this State lying south of the counties of Jeff Davis, Reeves, Ward, Ector, Midland, Glasscock, Sterling, Coke and Runnels, and south and west of the Colorado river; also, all those counties west of Hardeman, Knox and Haskell, and north of Fisher, Scurry, Borden, Dawson and Gaines; also the counties of Matagorda and Brazoria, to give aid in the construction of railroads by the issuance of bonds or other evidences of indebtedness, when authorized thereto by a majority vote of any such county;" and those opposed to said amendment shall have written or printed on their tickets, "Against the Amendment to Section 3, of Article XI, of the Constitution of Texas, authorizing all counties in this State lying south of the counties of Jeff Davis, Reeves, Ward, Ector, Midland, Glasscock, Sterling, Coke and Runnels, and south and west of the Colorado river; also, all those counties west of Hardeman, Knox and Haskell, and north of Fisher, Scurry, Borden, Dawson and Gaines; also, the counties of Matagorda and Brazoria, to give aid in the construction of railroads, by the issuance of bonds or other evidences of indebtedness, when authorized thereto by a majority vote of any such county."

[NOTE.—The foregoing joint resolution passed the Senate by a two-thirds vote, yeas 25, nays 2; and having passed the House with amendments, and being referred to a free conference committee, the report of said committee was adopted by both houses, the vote in the Senate being yeas 22, nays none. The certificate of the Chief Clerk of the House does not give the vote on passage of this joint resolution, or on adoption of the free conference report.]

[NOTE.—The foregoing joint resolution was presented to the Governor of Texas for his approval, on Tuesday, the sixth day of April, A. D. 1897, but was not signed by him nor returned to the house in which it originated, with his objections thereto within the time prescribed by the Constitution, and thereupon became a law without his signature.—J. W. MADDEN, Secretary of State.]

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#### H. J. R. No. 20.] JOINT RESOLUTION.

To amend Article XI, of the Constitution of the State of Texas, by adding thereto Section 11.

Whereas, the laws of the State of Texas authorize the several counties in this State, through their commissioners' court, to issue bonds for the erection of court houses and jails, and the construction and purchase of bridges; and

Whereas, the statutes of the State of Texas authorize the board of education of said State to invest the permanent school fund thereof in bonds issued for the purposes aforesaid by the said counties; and

Whereas, the board of education of this State, in pursuance of said statutory authority, has purchased as an investment for the permanent school fund of the State of Texas, bonds approximating three million dollars; and

Whereas, the Constitution of the State of Texas provides that no debt for any purpose shall ever be incurred in any manner for any city or county unless provision is made at the time of its creation for the levying and collecting of a sufficient tax to pay the interest thereon, and provide at least two per cent. as a sinking fund; and

Whereas, it is believed that some of the bonds so purchased by the State board of education as an investment for the permanent school fund were not issued in conformity with that provision of the Constitution, and it is doubtful whether proper provision was made at the time of the attempted creation of said debt, evidenced by said bonds, for the levy of a tax to secure the payment of interest and the creation of a sinking fund, and that some of said bonds may therefore be held invalid by the courts;

*Therefore, Be it resolved by the Legislature of the State of Texas:* That Article XI, of the Constitution of the State of Texas, be amended by adding thereto the following, which shall be denominated "Section 11."

Section 11. That all bonds heretofore issued by the several counties of Texas for the purpose of the erection of court houses and jails, and for the purchase or construction of bridges, and that have been purchased by the proper authorities of the State of Texas as an investment for the permanent school fund of said State; and that at the time of the creation of said debt, evidenced by said bonds, the provision for the levy of a tax for the payment of the interest and the creation of a sinking fund was not made, shall not be for that reason held to be invalid; but said bonds are hereby validated, and are hereby made valid debts against the several counties by which they were issued.

*Be it further resolved:* That this amendment shall be submitted to a vote of the qualified electors of the State of Texas on the first Tuesday in August, 1897, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words, "For the amendment to Article XI, of the Constitution, validating bonds held by the State as an investment for the permanent school fund;" and all voters opposing said amendment shall write or have printed on their ballots the words "Against the amendment to Article XI, of the Constitution, validating bonds held by the State as an investment for the permanent school fund."

And that the governor of the State is hereby directed to issue the necessary proclamation for said election, and have same published as required by the Constitution and existing laws of the State.

Approved, April 22, 1897.

[NOTE.—The foregoing joint resolution passed the House by a two-thirds vote, yeas 93, nays 2; and passed the Senate by a two-thirds vote, yeas 21, nays none.]

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